

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

International Application No. : PCT/EP2004/002354  
U.S. Serial No. : 10/551,998  
Deposit Date U.S. Nat'l Phase : October 4, 2005  
International Filing Date : 08 March 2004 (08.03.2004)  
Priority Date(s) Claimed : 05 April 2003 (05.04.2003)  
Applicant(s) (DO/EO/US) : Kai SCHIEMANN, et al.

Title: 1,3,4-SUBSTITUTED PYRAZOLES AS 5-HT RECEPTOR ANTAGONISTS FOR THE TREATMENT OF PSYCHOSES AND NEUROLOGICAL DISORDERS

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. § 371**

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

MAIL STOP MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 11213-1450

Sir:

In response to the Notification of Missing Requirements dated August 8, 2006:

- Attached is a Declaration and Power of Attorney in compliance with 37 CFR § 1.53 along with the late filing surcharge of \$130.00
- Applicant(s) include an executed assignment and Recordation Form Cover Sheet with the recordation fee of \$40.00 (Check No. ).
- Attached is a copy of the Notification of Missing Requirements.
- Applicant(s) request that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a) for a period of one/two/three/four/five month(s) along with the fee of .
- Applicant(s) are entitled to small entity status.
- Attached is a verified English translation of the PCT publication along with the fee of \$130.00.
- Attached is a Preliminary Amendment.
- Applicant(s) include the extra claims fee of \$ for claims in excess of

20 per additional claim, for independent claims in excess of 3  
per additional claim, and/or for multiple dependent claims.

- Attached is the Sequence Disclosure (paper/disk versions) with the appropriate statement as required
- Attached is an Application Data Sheet (ADS).
- Attached are the substitute drawings as required.

Attached is a check in the amount of \$130.00. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402.

Respectfully submitted,

  
Anthony J. Zelano  
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Attorney/Agent for Applicants

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Attorney Docket No.: MERCK-3073

Date: October 5, 2006

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,998	Kai Schiemann	MERCK-3073

24997  
 MILLEN, WHITE, ZELANO & BRANIGAN, PC  
 2200 CLARENDON BLVD  
 SUITE 1400  
 ARLINGTON, VA 22201

CASE MISSING REQUIREMENTS  
 ACTION 10/8/05  
 DUE DATE 10/8/05

INTERNATIONAL APPLICATION NO.

PCT/EP04/02354

I.A. FILING DATE	PRIORITY DATE
03/08/2004	04/05/2003

CONFIRMATION NO. 6474  
 371 FORMALITIES LETTER



\*OC000000019925557\*

Date Mailed: 08/08/2006

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/04/2005
- Copy of the International Search Report filed on 10/04/2005
- Preliminary Amendments filed on 10/04/2005
- Information Disclosure Statements filed on 10/04/2005
- Oath or Declaration filed on 10/04/2005
- U.S. Basic National Fees filed on 10/04/2005

CASE \_\_\_\_\_  
 ACTION \_\_\_\_\_  
 DUE DATE \_\_\_\_\_

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - The international application list five inventors. The declaration only list four inventors. Please clarify.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

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Telephone: (703) 308-9140 EXT 211

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/551,998	PCT/EP04/02354	MERCK-3073

FORM PCT/DO/EO/905 (371 Formalities Notice)